1 **GREGORY J. KOEBEL** ROBERT J. O'CONNOR 2 O'Connor Berman Dotts & Banes Second Floor, Nauru Building 3 P.O. Box 501969 **Saipan, MP 96950** 4 Telephone No. (670) 234-5684 Facsimile No. (670) 234-5683 5 Attorneys for Plaintiff John K. Baldwin 6 7 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS 8 9 JOHN K. BALDWIN CIVIL CASE NO. 08-0024 10 Plaintiff, 11 VS. **DECLARATION OF COUNSEL** 12 IN SUPPORT OF MOTION UNITED STATES OF AMERICA, TO SHORTEN TIME 13 Defendant. 14 15 16 17 18 19 20 I, Gregory J. Koebel, declare under the penalty of perjury according to the laws of the 21 Commonwealth of the Northern Mariana Islands and the United States of America, that the 22 following is true and based upon my personal knowledge, except where noted otherwise, and if 23 called to testify, I could do so competently: 24 25

I am a partner with O'Connor, Berman, Dotts & Banes, the attorneys of record for the

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Plaintiff in the above-entitled action.

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I am duly authorized to practice law before this Court.

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3. I have served Craig Moore of the United States Attorney's Office with a copy of the Complaint filed on May 30, 2008.

- 4. The Complaint as filed alleges that certain irreparable harm will befall the Plaintiff if the Temporary Restraining Order is not issued.
- 5. On May 30, 2008, I contacted the U.S. Attorney's Office on Saipan by telephone to inform them of my intent to file this Motion. When I called, no one in the Office was available and I left a message with my name and reason for the filing of this Motion. Later in the day, Jessica Cruz from the U.S. Attorney's Office in Guam contacted me. Ms. Cruz could not stipulate to a hearing time for the TRO and filing under seal motions without conferring with others in the US government, so I stated that I would request a hearing for Friday, June 6, 2008 in the hopes that we could work something out before then. Ms. Cruz agreed that this would be a good manner in which to proceed.
- This Motion is presently being filed to calendar hearings on Plaintiff's motion to file tax 6. documents under seal and motion for Temporary Restraining Order at the Court and counsels' earliest convenience.
- 7. Plaintiff requests that the Court schedule the hearing, if possible, on Friday, June 6, 2008.

Signed under penalty of perjury, on Saipan, Commonwealth of the Northern Mariana Islands, this 30<sup>th</sup> day of May, 2008. \_\_\_\_/s/\_ Gregory J. Koebel, Esq. K:/3495-01 Baldwin/3495-01-080530-DecGregMotionShortenTime.doc